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or provocation, they might assess punitive damages against the defendant. The jury returned a verdict including punitive damages, and the defendant appealed from the judgment rendered thereon. *Held*, that the judgment be affirmed. *Kennelly v. Kansas City Rys. Co.*, 214 S. W. 237 (Mo.).

Theoretically, a rule allowing punitive damages in civil cases is objectionable, since the purpose of the civil law is to compensate for injury, not to punish the wrongdoer. See 1 SEDGWICK, DAMAGES, 9 ed., § 353; H. E. Willis, "Measure of Damages when Property is Wrongfully taken by a Private Individual," 22 HARV. L. REV. 419, 420. But the doctrine is established by the weight of authority. *Stalker v. Drake*, 91 Kan. 142, 136 Pac. 912; *Yazoo & M. V. R. Co. v. May*, 104 Miss. 422, 61 So. 449. *Contra*, *Longfellow v. Seattle*, 76 Wash. 509, 136 Pac. 855. Whatever may be said in favor of the rule in general, there can be no justification for allowing punitive damages against a principal who is liable only on *respondent superior*. When the principal is a natural person, the weight of authority is to this effect. *Gaertner v. Bues*, 109 Wis. 165, 85 N. W. 388; *Lake Shore Ry. Co. v. Prentice*, 147 U. S. 101. *Contra*, *Boyer v. Coxen*, 92 Md. 366, 48 Atl. 161. The result should be the same though the principal is a corporation. *Peterson v. Middlesex Traction Co.*, 71 N. J. L. 296, 59 Atl. 456; *Voves v. Great Northern Ry. Co.*, 26 N. D. 110, 143 N. W. 760. But the doctrine of the principal case, imposing punitive damages on a corporation principal liable only on *respondent superior*, has support in decisions of other states. *Goddard v. Grand Trunk Ry.*, 57 Me. 202; *So. Express Co. v. Brown*, 67 Miss. 260, 7 So. 318. It is argued that otherwise a corporation would never be subject to punitive damages, since it can act only through agents. See *Pullman Palace Car Co. v. Lawrence*, 74 Miss. 782, 22 So. 53. But unless the corporation directed or ratified the misconduct, or was negligent in selecting its agents, it could not possibly be said to deserve punishment. The decisions therefore seem unsound, even in a state permitting punitive damages generally.

DIVORCE—CRUELTY—ABUSE BY MOTHER-IN-LAW.—A husband was financially unable to furnish his bride with any other home than that belonging to his widowed mother with whom he lived. He always treated his wife kindly, but his mother abused her severely. The wife returned to her parents and filed a petition for divorce on the ground of cruelty. *Held*, that the divorce be granted. *Thompson v. Thompson*, 171 N. W. 347 (Mich.).

Where a husband acquiesces in the mistreatment of his wife by third persons, he is chargeable with their cruelty. *Snyder v. Snyder*, 98 Misc. 431, 162 N. Y. Supp. 607; *Sayles v. Sayles*, 103 Atl. 225 (R. I.). Or where he arbitrarily refuses to provide a home away from such persons. *Dakin v. Dakin*, 1 Neb. Unof. 457, 95 N. W. 781; *Hall v. Hall*, 9 Ore. 452. The principal case extends the imputation of cruelty to a husband without fault. The wife was undoubtedly justified in separating herself from the household where she was mistreated. *Marshak v. Marshak*, 115 Ark. 51, 170 S. W. 567; *Hall v. Hall*, 69 W. Va. 175, 71 S. E. 103. And the husband would be chargeable with desertion at the end of the statutory period if by his own fault he failed to provide a separate home. *Curlett v. Curlett*, 106 Ill. App. 81. But not if his inability continued without his fault. *Skean v. Skean*, 33 N. J. Eq. 148. In the principal case, the wife's grievance narrows down to the non-culpable inability of the husband to furnish her a proper home. It would seem that the court should have gone no further than to decree legal separation, in the absence of a statute making nonsupport a ground for absolute divorce.

EQUITABLE SERVITUDES—STATUTE OF FRAUDS—REPRESENTATION OF FUTURE CONDUCT AS BASIS OF ESTOPPEL.—The defendant sold the plaintiff a lot near the ocean, retaining the intervening land, and orally promising to build nothing except a boardwalk upon it. The plaintiff, relying upon the